

Remarks

Claims 36-55 remain pending in this application

Claim 55 has been editorially amended to correct the dependency of the claim. Entry of this editorially amendment is respectfully requested as it does not change the scope of the claim and does not require additional searching or prior art consideration by the PTO.

First Rejection under § 103

Claims 36-40, 42-46, and 48-54 are rejected under 35 U.S.C. § 103(a) as obvious over Ukai et al., U.S. Patent No. 6,576,677.

Applicant respectfully traverses the rejection.

Contrary to the PTO's assertions at pages 2-3 in the Office Action, the results in Ukai's Test 2 do not suggest the claimed formulation, but actually teach away from it. *See* June 16, 2006 Office Action at page 4. Ukai teaches that the 2% percent polyvinylpyrrolidone solution in Test 2 shows performed poorly in reducing bitterness (i.e., 2.3 versus 4.3 on a scale of 1 to 5, with 1 being the most bitter; *see* Col. 5, Table 2), and the 2% percent polyvinylpyrrolidone solution performed worse than or the same as the control in reducing numbness in the three trials disclosed (i.e., 3.4 versus 3.9; 3.4 versus 3.4; 2.9 versus 3.4; *see* Col. 5, Table 2). Rather than render obvious the presently claimed 2-3% percent polyvinylpyrrolidone formulation, the results in Ukai suggests to a person of ordinary skill in the art that such a low level of polyvinylpyrrolidone would actually be ineffective in reducing bitterness and numbness. Such a result cannot support the PTO's assertion that Ukai renders the claimed formulation obvious.

In view thereof, Applicant respectfully requests that the rejection under 35 U.S.C. § 103 be withdrawn.

Second Rejection under § 103

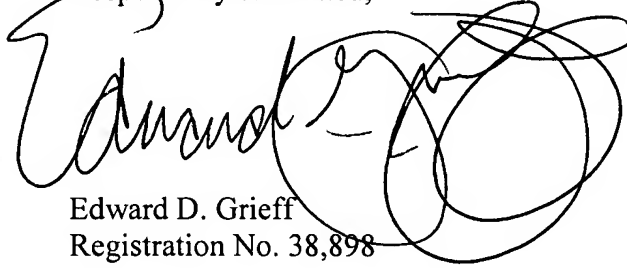
Claims 41, 47, and 55 are rejected under 35 U.S.C. § 103(a) as obvious over Ukai in view of Sugimoto et al., U.S. Patent No. 4,895,841.

In view claims 36-40, 42-46, and 48-54 are unobvious over Ukai, claims 41, 47, and 55 would also be unobvious over Ukai in view of Sugimoto, as Sugimoto does not cure the deficiencies of Ukai. In view thereof, Applicant respectfully requests that the rejection under 35 U.S.C. § 103 be withdrawn.

Conclusion

An early and favorable reconsideration and allowance of pending claims 36-55 is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Edward D. Grieff", is written over a circular stamp. The signature is fluid and cursive.

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